



INSTRUCTIONS FOR USE OF “BACO-90” (formerly known as “FAX-BACK”)

The term “BACO-90” is a short-hand way of referring to the "Request for Confirmation of Exemption from the Requirement to Obtain a Work Permit" in Germany from the Bundesagentur für Arbeit (BA) in Stuttgart.

- a. What “BACO-90” does: Allows the contractor employee to work in a temporary duty (TDY) status for periods not to exceed 90 days in any 12-month period starting with the first day of entry into Germany/Schengen Zone and ending with the date of exit. Once 90 days are exhausted, the contractor employee has to exit the Schengen Zone!
- b. What “BACO-90” does not do: Does not authorize logistical support nor NATO SOFA privileges (e.g., PX, commissary, fuel rations, etc.).
- c. Process: A “BACO-90” is initiated by the contractor (the company, usually HR), scanned and emailed to the Bundesagentur für Arbeit (BA) in Stuttgart. Fax submission only as a last resort!

Email address: zav.amz-stuttgart-271@arbeitsagentur.de

The BA signs and stamps the form with the German eagle, and emails it back to the originator/requestor. The contractor employee should retain the signed form. The BACO-90 confirmation is required before the contractor employee starts to work in Germany!



Please note that due to the European General Data Protection Regulation (EU-GDPR) and Germany’s Federal Data Protection Act (BDSG), the BA is NOT authorized to exchange personal data in UNENCRYPTED emails! If you have not yet registered and provided your e-mail encryption certificate through a link provided by the BA, please contact the BA (e-mail recommended) and you will receive an invitation with further information.

- (1) It will take up to **10 German working days for the BA** to process the form.
 - (2) The BA will not approve a “BACO-90” with a work start date earlier than the date of approval.
 - (3) Do not use to support EU citizens, U.S. government civilian employees on TDY, military members or dependents with NATO SOFA status already in Germany.
 - (4) “Place of Work (in Germany)”: List city/area and name of military installation (US base, military unit or Kaserne) to be visited.
 - (5) Formatting Notes:
 - (a) Use the European date format (*dd/mm/yy*)
 - (b) “Place and Date/Ort und Datum” refers to *where* and *when* the requestor (company representative/contractor) signed the form (signatures in Germany typically require place and date to be specified).
- d. Important notes for time periods requested on the “BACO-90” form:
- (1) Fill out the form for the minimum time needed for TDY in Germany. It is easier for the BA to approve a new “BACO-90” than try to amend a previous one. If more time is needed, fill out subsequent forms as required for the TDY.
 - (2) To repeat: Total time under “BACO-90” **cannot exceed 90 days in any 12-month period**.
 - (3) For a subsequent “BACO-90”, the company should reference the predecessor “BACO-90” and explain the reason for the update/change.
 - (4) If a correction of an approved “BACO-90” is required, the new request needs to contain a copy of the passport pages reflecting the duration of stay in Germany, and an explanation of the reason for the update/change.
- e. Find the form on the DOCPER website at <http://www.eur.army.mil/Contractor/>. Then download “BACO-90 form for Germany”, save as PDF (it’s fillable).

DOCPER does not administer the “BACO-90” process, but can answer questions.

Write to: usarmy.wiesbaden.usareur.mbx.odcs-g1-docper@army.mil



Antrag auf Bestätigung einer aufenthaltsgenehmigungsfreien Tätigkeit
Request for Confirmation of Exemption from the Requirement to Obtain a Work Permit

Please note: Approval does NOT confer status under NATO Status of Forces Agreement (NATO SOFA) or any associated privileges

Last Name Nachname			
First Name Vorname			
Date and Place of Birth Geburtsdatum und -ort	(dd/mm/yy)		
Nationality Nationalität			
Passport Number Passnummer			
Contract Number Vertragsnummer			
Company Name Name des Unternehmens			
Place of Work (US-Installation in Germany) Ort der Beschäftigung			
Description of Work (in Germany) (if appropriate, see further explanation on attached sheet) Art der Beschäftigung (ggfs. weitere Beschreibung auf Beiblatt)			
Dates of Work (in Germany) Zeiten der Tätigkeit	From/von (dd/mm/yy)		Until/bis (dd/mm/yy)
Place and Date Ort und Datum			
Name of Company Representative Name des Unternehmensbevollmächtigten			
I registered with the following email address for the encrypted transmission of data to the Bundesagentur für Arbeit (BA)			
Signature of Company Representative/Unterschrift des Bevollmächtigten des Unternehmens			
<u>Bestätigung</u> Nach Prüfung des vorstehenden Antrages wird bestätigt, dass die Tätigkeit des/der o.g. Beschäftigten des o.g. Unternehmens für den genannten Zeitraum eine zustimmungsfreie Beschäftigung in Anlehnung an § 3 (leitende Angestellte mit Generalvollmacht, Prokura usw.) oder nach § 19 (1) Beschäftigungsverordnung darstellt. Tätigkeiten, die bis zu 90 Tage innerhalb eines Zeitraumes von 12 Monaten in Deutschland ausgeübt werden, sind nach § 30 der Beschäftigungsverordnung von dem Erfordernis einer Aufenthaltserlaubnis befreit.			
ZAV Stuttgart Nordbahnhofstr. 30-34 70191 Stuttgart	Stuttgart, den		
		Siegel und Signatur	